

REACH DECISION IN CORN PRODUCT SUIT

Company Must Sell Certain of
Its Plants and Properties
Before 1921.

CASE IN COURT SIX YEARS

Eliminating Factories Will
Cut Production 80 Per
Cent., Says President.

An agreement between the Corn Products Refining Company and the Government, under which the suit for dissolution of the company, instituted in the United States District Court in March, 1913, is settled and the business of the company is brought within the limits of the Sherman law, as drawn by the Department of Justice, has been reached. The company, it was learned yesterday, has withdrawn its appeal from the decision of Judge Learned Hand in the District Court in June, 1914, under which the company was adjudged a combination in restraint of trade in starch, glucose and syrups.

Under the agreement under which the appeal was withdrawn and the case brought to an end and the company must dispose of certain of its plants and properties before 1921 to a buyer who will be a competitor of the company and prove satisfactory to the court. Should the company fail to sell the holdings before the time limit has expired they will be sold at auction under an order of the Federal court. The final decree of dissolution of the company in accordance with the agreement was signed by Judge Hand in the United States District Court here late yesterday afternoon.

The plants which will be sold by the company under the agreement are the National Starch Company, Oswego; the Granite City, Ill., plant; the Davenport, Ill., plant; and the two candy plants of the Novelty Candy Company, one in Jersey City and the other in Chicago. All of these plants, with others, are owned by the Corn Products Refining Company and formed the basis of the dissolution suit begun by the Government more than five years ago. The big plants which will be sold by the company will be permitted to maintain and operate as at present. The water, N. J., and Pekin, Ill., a considerable amount of real estate in Oswego and Indianapolis is owned by the National Starch Company.

The elimination of the five plants from the chain operated by the company will mean a reduction of more than 80 per cent. in the total production of the company, according to President E. T. Bedford, who estimated yesterday afternoon that by divesting the properties from the larger company the amount of corn ground by that organization would be reduced about 80,000 bushels a day. The last previous estimate of the amount of corn being ground by the company was made by President Bedford in November of last year, when he fixed the daily consumption at 135,000 bushels, which indicates a reduction of more than 80 per cent. after the other plants are separated from the refining company.

As to the values of the plants, Mr. Bedford said he could make no accurate estimate. Nor would he state just what the probable cut in the earnings of the Corn Products Company would be as a result of the elimination of the properties. He declared that the earnings of the five plants last year, to his best recollection, were about equivalent to the total pre-war earnings of the organization, indicating that they earned in 1915 nearly \$1,000,000. The average annual operating profit of the company in 1913, 1914 and 1915 was \$3,571,355.

Mr. Bedford declared that the terms under which the suit was settled were virtually the same as those by which a similar case against the so-called Harvester Trust was brought to an end a few months ago. He declared that Corn Products has been around the disposal of its properties in question and that they must be sold to a competitive buyer approved by the Federal court. Should it happen, he said, that the plants and properties were not disposed of within the time limit set by the agreement, they will be sold by the court at auction.

In quarters close to the company it is estimated that the five plants which must be sold are valued at "between \$5,000,000 and \$10,000,000." Nothing more definite of more authority can be obtained. That there will be no readjustment of capital and no reorganization of the Corn Products Refining Company as a result of the new turn in its affairs was affirmed by Mr. Bedford. He declared that the company would continue existing as it had been operating, with the exception, of course, of the five plants which must be sold.

It was in March, 1913, that the suit against the company was begun by the Government. The defendants named in the proceedings were the Corn Products Refining Company, the National Starch Company, the St. Louis Syrup and Preserving Company, the Novelty Candy Company, the Penick & Ford, Ltd., New Orleans, and twenty-three individuals. The defendants were charged with a conspiracy to destroy competition in violation of the Sherman anti-trust law and a dissolution of the company was asked by the Government. Subsequently the company deposited some of the property in question in accordance with the wishes of the Department of Justice. The interests thus sold were the preserving plant in Granite City, Ill., which was bought by the Best-City company, and the interest which Corn Products held in Penick & Ford, Ltd., New Orleans.

The suit hung fire for a long time, and it was not until June 21, 1916, that a decree was finally entered in the United States District Court in New York. Judge Hand ordering the dissolution of the company and directing the Federal Trade Commission at Washington to frame the terms of dissolution. A time limit of 136 days was fixed by the decree in which the terms might be framed and the dissolution effected. All proceedings were stopped when an appeal from the District Court's decision was taken to the Supreme Court.

them to stifle competition, as, for instance, profit sharing plans whereby the purchasers of the company's products received rebates of from 5 to 15 cents on a hundred pounds, the invasion of other fields of manufacture in order to retaliate against concerns which manufactured corn products as a side line, the establishment of bogus "independent" concerns to sell to the customers of real competitors trust products at a lower price than the trust sold them in the open market, and the influence of railroads to raise freight rates so as to injure the independents.

Importance of Decision.

Special Dispatch to THE SUN.
WASHINGTON, March 30.—One of the most important anti-trust cases on the calendar of the Supreme Court was decided today when the Corn Products Refining Company dismissed its appeal from the decision of the District court adjudging it a combination in restraint of trade. The result is to put the full force and effect of the District court dissolution decree.

Department of Justice officials expressed the opinion following the decision that this case as a precedent, with the decision in the Harvester case, would probably greatly simplify anti-trust procedure. Attorneys General Clegg and the result in this case, coupled with the Harvester decision entered last November, "should go far toward clearing up and settling the law on this important question."

CITIES SERVICE CO.

NET IS \$31,428,222

Earnings Equal 9.47 Per Cent.

of Total Capitalization

During 1917.

The combined statement of net earnings of the Cities Service Company and subsidiary companies, according to the annual report issued to-day amounting to \$31,428,222, against \$28,454,932 in 1917. They are equal to 9.47 per cent. on the \$331,477,445 total capitalization and indebtedness plus \$18,846,522 surplus. In 1917 the percentage was 9.22 on \$275,800,000 total capitalization, indebtedness and surplus, of which the latter named item amounted to \$11,182,876.

The earnings of the company from all operations, the report shows, increased substantially, notwithstanding limitations and restrictions occasioned by the war. Drilling operations in sections of the country where certain subsidiaries own acreage were held to the minimum on account of the high cost and shortage of labor and materials during the war. Plans have been made for important development work, chiefly in Texas, where numerous leases were obtained. In the Ranger field, covering parts of Comanche, Palo Pinto, Stephens and Eastman counties, the company's subsidiaries have started drilling operations on leases.

The earnings accruing to the company from public utility operations during the year amounted to \$4,239,563, and from oil operations to \$14,000,004. The total of \$18,240,067, against \$4,743,452 from public utilities and \$14,509,841 from oil operations in 1917, a total of \$18,250,441. In 1916 earnings from public utility operations amounted to \$5,573,116, and from oil operations \$4,537,327, a total of \$10,110,443.

FORM NEW OIL COMPANY.

Island Refining Is \$10,000,000

Virginia Corporation.

The Island Refining Corporation, a \$10,000,000 subsidiary of the Island Oil and Transport Corporation, has been formed to engage in the extraction of gasoline, fuel oil and other by-products of petroleum, according to an announcement made yesterday by F. B. Lasher, vice-president of the Island Oil and Transport Corporation. Col. George A. Burrell, until recently commanding officer of the Experimental Station and Chemical Warfare Service of the United States, is president of the new company.

The new company, formed under Virginia laws, has an authorized capitalization of \$10,000,000, 7 per cent. and is to be financed by the parent company and \$10,000,000 capital stock with a par value of \$100 a share. All of the stock will be owned by the parent company and \$4,000,000 of the bonds will be sold. The right being given holders of Island Oil voting trust certificates of April 7 to subscribe for the bonds at 95%.

MINING COMPANY REPORTS.

Consolidated Interstate-California

Earns \$260,288 Surplus.

Consolidated Interstate-California Mining Company, according to the annual report for 1918, issued yesterday, earned surplus, after charges, of \$260,288, which is equivalent to 81 cents a share of \$10 par value on the \$319,930 outstanding stock. The previous annual report covered the period from the month ended December 31, 1917, and showed surplus after charges of \$232,877.

EQUIPMENT TRUSTS.

Following are quoted on a percentage basis, Maturity Rate, Bid, Asked.
Baltimore & Ohio 1919-20 4 1/2 4 3/4
B. & O. 1920-21 4 1/2 4 3/4
Canadian Northern 1919-20 4 1/2 4 3/4
C. & N. 1920-21 4 1/2 4 3/4
Chicago & N. W. 1919-20 4 1/2 4 3/4
C. & N. W. 1920-21 4 1/2 4 3/4
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